

EXHIBIT 1

Plaintiffs' More Definite Statement as to Defendant Syria

Plaintiffs hereby incorporate all allegations and counts contained in the Third Amended Complaint in Burnett, et al. v. Al Baraka Investment and Development Corp., et al., 03 MD 1570 (RCC), 03 CV 5738 & 03 CV 9849.

1. Defendant, the Syrian Arab Republic ("Syria"), is a foreign state within the meaning of 28 U.S.C. § 1391(f). Syria has for many years been designated as a foreign state that sponsors terrorism within the meaning of the *Arms Export Control Act*, 22 U.S.C. § 2780(d), the *Export Administration Act* of 1979, 50 U.S.C. App. §2405(j), and Title III of the *Antiterrorism and Effective Death Penalty Act of 1996*, Pub. L. 104-132, 110 Stat. 1247-1258.
2. On May 1, 2003, the United States Congress passed the *Syria Accountability and Lebanese Sovereignty Restoration Act*, which aimed to press Syria to cease supporting terrorism, among other things. On May 11, 2004, President George W. Bush issued Executive Order 13338, which declared a "state of national emergency" regarding Syria. This order empowers the United States Secretary of the Department of the Treasury to freeze the financial assets of individuals who contribute to Syrian provision of safe haven for terrorists and instructs other federal agencies to impose prohibitions on certain exports to Syria, among other things.
3. Members of the Syrian Government, specifically Ghazi Kanaan - the country's Minister of Interior Affairs - and Rustum Ghazali - Syria's Chief of Military Intelligence, were designated by the United States in June 2003, as Specially Designated Global Terrorists for their cooperation and support of various international terrorist groups, including Hezbollah.
4. The Commercial Bank of Syria and its subsidiary, Syrian Lebanese Commercial Bank, were designated on May 11, 2004, by the United States Department of the Treasury as institutions of "primary money laundering concern" pursuant to Section 311 of the *USA Patriot Act*. The Commercial Bank of Syria "(CBS") is an "economic directorate" of the Syrian government, closely affiliated with Syria's Ministry of Economy and Trade. These banks are believed to have facilitated numerous transactions in the support of terrorism, including two accounts at CBS that reference a reputed financier for Osama Bin Laden. Both banks maintain correspondent accounts with banks in the United States.

Background of Syrian Support for Al Qaeda

5. In addition to allowing safe haven to terrorists, allowing terrorists members to cross its borders, and providing financial and material support to various international terrorist groups, Syria employs high-ranking officials with questionable business relationships.

6. Abdul Matin Tatari (“Matin”) is a Syrian-born German citizen who is the owner and principal investor in Tatex Trading GmbH and Tatari Design, German textile firms with sales of several million dollars per year. German intelligence officials told the *Chicago Tribune* in November 2002 that the Syrian government has identified Matin as a member of the Muslim Brotherhood. On Tuesday September 10, 2002, German authorities seized documents and financial information from Matin’s two homes and three company warehouses. German intelligence officials had been investigating Matin, his wife, and two sons in July 2002 on suspicion that the family is using its companies as a front to launder money for terrorist organizations and smuggle Islamic militants into Western Europe. Investigators are also examining 111 commercial visa requests filed by Tatex from 2000-2002 for “prospective buyers.” Investigators suspect some of the applicants were actually al Qaeda operatives or other militants from Syria, Egypt and Jordan.

7. Matin’s son, Mohammed Hadi Tatari (“Hadi”) has admitted personally knowing several members of the Hamburg cell including Mounir el Motassadeq, Mohammed Atta, and Mohammed Haydar Zammar, the man who investigators believe recruited Atta, Al-Shehhi, Jarrah and others from Hamburg to visit training camps in Afghanistan in November 1999. Matin told the *Chicago Tribune* that his son stood as a witness at Motassadeq’s wedding and the pair traveled to Denmark in March 2000 for an undisclosed purpose, at a time when the hijacking plans were being made in Hamburg.

8. A search of internal German documents revealed that Hadi was a signatory on an application to establish a Muslim prayer room for the ‘Islam AG’ Muslim student group at the Technical University Hamburg of which several members were also active in the Hamburg cell. Related materials seized from el Motassadeq’s apartment include a printed piece of paper with contact information for Tatex Trading, a personal pocket calendar with the phone numbers of Hadi’s and Matin’s wife, Karen Tatari. It was discovered that el Motassadeq called the Tatari’s home phone line (#04822-6821) in October 2000. Also, the documents show that Zammar called Tatex Trading GmbH on October 7, 2001 at 1:18pm.

9. According to German authorities, several members of the Hamburg cell worked at Tatex GmbH during the 1990s. These individuals include: Mohammed Atta, Zammar (three different times), and Mamoun Darkanzali.

10. While Matin is the managing director of Tatex, records show that its major shareholder is a Saudi real estate and construction magnate from Mecca named Hamed Al Barakati. A second investor is Mohamad Majed Said, a former head of Syria's Intelligence Directorate from 1987-1994. According to *Der Spiegel*, he is now a member of Syria's National Security Council. Said's son Dr. Ayham Said, a German-trained physician who was employed by Tatex for several months as a medical equipment sales representative, invested about \$100,000 of his father's money in the company in the late 1990s.

11. During the investigation of the Hamburg cell, German officials uncovered an important link between Matin, Tatex and the Chicago-based Benevolence International Foundation. German investigators discovered Triple-B Trading GmbH, a self-described import-export concern that does no apparent business and is headquartered in the same town as Tatex and Matin's place of residence. The three Triple-B's owners are Defendant Shahir Abdulraouf Batterjee, a director of Benevolence when it was established in Illinois in 1992; Defendant Mazin Mohammad Bahareth, a top executive of the Bahareth Organization, a Saudi construction conglomerate, who was listed as BIF's treasurer; and Defendant Hassan Bahfzallah, who oversaw BIF's Saudi Arabia operations in the early 1990s and is listed as an official in three northern Virginia charities that were raided in March 2002 by federal agents. Abdul Matin Tatari is listed as Triple-B's managing director. According to business records, Triple-B was founded in 1995 and is an exporter of food, clothing, and industrial equipment and consists of one employee (Matin) and about \$25,000 in capital. BIF was listed as a Specially Designated Global Terrorist by the United States on November 19, 2002 as a result of its financial and material support of terrorism.

12. Matin told the *Chicago Tribune* in November 2002 that he has known Shahir Batterjee for 15 to 16 years. Matin stated that he met Shahir through Shahir's father, Abdulraouf Ibrahim Batterjee, who heads a large Saudi company that imports medical equipment, and his uncle, Mohammed Ibrahim Batterjee, whose enterprises include Jeddah's Jumbo Ice Cream Factory. Matin acknowledged numerous business transactions between Tatex and the Batterjee family, including the sale to Mohammed Ibrahim Batterjee of a summer home near Rethwisch and 17

trucks to be used as “ice cream cars.” Shahir Batterjee visits Matin three or four times a year on buying trips for German textiles that are exported to Saudi Arabia and used to make women’s underwear for sale in the family’s garment shops. Matin also told the *Tribune* that he buys textiles through Tatex and then sells them to Batterjee for a 10 percent commission, instead of using the Triple-B partnership for mutual purchase/sale transactions.

13. In addition, Batterjee has connections to the Sudanese Al-Shamal Islamic Bank (*Defendant*) which operates as a safe-harbor for funneling al Qaeda funds throughout the world. As recently as March 2002, Shahir Batterjee—the founder of BIF and partner in Triple-B—was identified as the president of Al Shamal Islamic bank on the company’s Web site.

14. Finally, it is believed that Syria has long provided training camps for terrorist groups, including al Qaeda, as confirmed by the following interview of a captured Iraqi mujihadeen in February 2005:

Amajd 'Uraibi 'Abbas: The spirit of Jihad. He invited me to go to Syria with him. I asked him why I should go to Syria. He said: "so you can see Syria and meet the brothers there." So we went to Damascus. Two days later we arrived in Damascus we went to a mujahideen camp.

Interviewer: In Damascus?

Amajd 'Uraibi 'Abbas: Yes, in Damascus. It is called the Al-Sham Camp. We stayed at the camp for 35 days. The Syrians wanted to instill in us ideas about religion and faith, about Iraq, the situation there, the occupation forces, and the regime.

Interviewer: Was this camp state-owned?

Amajd 'Uraibi 'Abbas: Of course, sir, a state-owned training camp.

Interviewer: Who did it belong to?

Amajd 'Uraibi 'Abbas: To the state, sir, to the intelligence.

Interviewer: To Syrian intelligence?

Amajd 'Uraibi 'Abbas: Yes, sir. After the religious training, which lasted 35 days, we completed training in assassination.

Interviewer: After ideology and faith, you moved directly to assassinations.

Amajd 'Uraibi 'Abbas: To assassinations, placing booby-traps, booby-trapping, how to place them in dough.

Amajd 'Uraibi 'Abbas: We completed all this in three months in Damascus, Syria, and after that we returned to Iraq.